

**Notice of Allowability**

Application No.

10/699,482

Examiner

Justin P. Misleh

Applicant(s)

KIM ET AL.

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed October 15, 2007.
2. ☒ The allowed claim(s) is/are 1, 6, 8, 11, 14, and 19 - 21 (now respectively renumbered 1 - 8).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
LIN YE  
SUPERVISORY PATENT EXAMINER



### EXAMINER'S AMENDMENT

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this Examiner's Amendment was given in a telephone interview with Brian C. Rupp on December 21, 2007.
3. The application has been amended as follows:

### CLAIMS

- o **Claim 1 (line 9)** – please delete “means” and replace with “means for saving”.
- o **Claim 1 (line 10)** – please delete “image” and replace with “image file”.
- o **Claim 1 (line 11)** – please delete “image” and replace with “image file”.
- o **Claim 1 (line 12)** – please delete “image” and replace with “image file”.
- o **Claim 6 (line 2)** – please delete “means” and replace with “means for saving”.
- o **Claim 6 (line 4)** – please delete “image” and replace with “image file”.

### *Allowable Subject Matter*

4. **Claims 1, 6, 8, 11, 14, and 19 – 21** (now respectively renumbered 1 – 8) are allowed.
5. The following is an Examiner's statement of reasons for allowance:

The closest prior art, in particular, discloses a digital camera frees up memory space to capture additional images such that each time a new picture is taken, the quality of some of the previously captured images is reduced, while their resolution is maintained. Essentially, the



camera frees-up memory space for additional images by varying the resolution and/or compression ratio of already-stored images.

However, the closest prior art does not teach or fairly suggest wherein the digital camera instead maintains the already-stored images in their respective resolutions and compression ratios while only changing one or both of a resolution and compression ratio of a newly-captured or additional image.

6. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Cited Prior Art***

7. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure for the following reasons:

- o **US 7,123,295 B2 (Baron et al.)** discloses a digital camera having a processor that determines whether any of the images in the memory have been archived and replaces one or more archived images with newly captured images as the device is used.
- o **US 6,999,626 B2 (Andrew) & US 6,813,312 B2 (Tullberg et al.)** discloses a digital camera that recovers image memory capacity by modifying previously stored image data.



*Conclusion*

8. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Justin P Misleh whose telephone number is 571.272.7313. The Examiner can normally be reached on Monday through Friday from 8:00 AM to 5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Lin Ye can be reached on 571.272.7372. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Justin Misleh  
Examiner, GAU 2622  
December 21, 2007

  
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SUPERVISORY PATENT EXAMINER